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OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

GUAM

Working paper prepared by the Secretariat

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GUAM 1/

I. GENERAL

1. Guam, a Non-Self-Governing Territory administered by the United States of America, is the southernmost and largest island of the Mariana archipelago. The island is 48 kilometres long, ranges from 8 to 14 kilometres in width and has a total land area of 540 square kilometres. Agana is the capital.

2. Guam is composed of two distinct geological areas of about equal size. The northern part of the island is a high coralline limestone plateau and contains the northern water lens, capable of supplying fresh water far in excess of the Territory's present needs. The southern region is mountainous. Apra Harbour, which is located on the central western side of the island, is one of the largest protected harbours in the Pacific and is considered to be the finest deep water port between Hawaii and the Philippines. 2/

3. A former Spanish colony, Guam was under the administration of the United States Navy from 1899 to 1950, except for a period during the Second World War when the island was occupied by Japan. In accordance with the 1950 Organic Act of the United States Congress, Guam became an unincorporated Territory. Administration of the Territory was transferred to the Department of the Interior.

4. Guam's population is growing at an accelerating rate. According to the most recent estimates, in 1995 the population of Guam was 150,000. 3/

II. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

5. Detailed information on the constitution, the territorial Government and the 1994 general election is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 5-13).

III. ACTIVITIES RELATED TO THE WITHDRAWAL OF MILITARY BASES

6. Detailed information on the military installations in the Territory is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 14-20). Information on the activities related to the withdrawal of military bases during the period under review is set out below.

7. The United States Air Force Secretary, Ms. Sheila E. Widnall, visited the Anderson Air Force Base in Guam on 22 and 23 October 1995. In a press conference held on 22 October, Ms. Widnall confirmed that as a result of the United States Air Force downsizing programme, the Anderson base "did not and would not house any aircraft". 4/

8. In April 1996, a decommissioning ceremony for the USS Holland, which had been providing servicing and maintenance to submarine and surface ships at Apra Harbour for four years, was held in Guam. 5/

9. According to press reports, in April 1996, Mr. Mark Forbes, member of the territorial Senate, addressed a letter to the United States Secretary of Defense recommending that the United States postpone indefinitely its base closures on Guam and re-evaluate the strategic and socio-economic consequences of the downsizing of the United States military presence in the Territory. 6/

IV. ECONOMIC CONDITIONS

A. General

10. According to press reports, in 1994, the territorial per capita gross domestic product totalled US$ 20,646, being the highest indicator in Micronesia. 7/

11. According to the Bank of Guam, 1996 was expected to mark "a beginning of a period of steady sustainable growth" of the Territory. It is estimated that during 1996-1997 the annual economic growth rate would average between 2.9 and 3.5 per cent. Tourism and the related construction, retail and service sectors will continue to be major sources of economic growth. An important part in the economic development of the Territory will continue to be played by the federal Government. 8/

12. In November 1995, Mr. Carl Gutierrez, the Governor of Guam, unveiled his "Vision 2001" plan for the Territory. The plan identifies the following six areas for improvement: education, infrastructure, housing, public safety, the family and cultural values. 9/

B. Public finance

13. On 2 October 1995, the territorial Legislature approved the budget for the 1996 financial year. The budget provides for total combined revenue of $540 million and total combined expenditure of $513 million. The projected budgetary surplus amounts to $27 million. 10/

C. Land tenure

14. Detailed information on land tenure is contained in the previous working papers prepared by the Secretariat (A/AC.109/1192, paras. 48-56, and A/AC.109/2018, paras. 28-32).

15. On 15 September 1995, the Governor of Guam signed into law a land transfer bill abolishing the land for landless programme and transferring the government land to the Chamorro Land Trust. In accordance with the Chamorro Land Trust regulations, any native Chamorro above the age of 18 years is eligible to lease land from the Trust. The regulations also stipulate that "a native Chamorro is any person who became a United States citizen by virtue of the enactment and authority enactment of the Organic Act of Guam, or descendants of such person". The Chamorro Land Trust Commission started to accept applications for residential lots on 1 November 1995. 11/

16. According to press reports, negotiations between the United States Navy and the Government of Guam on the transfer of land by the Navy to the territorial jurisdiction began in January 1996. The Navy proposed to establish the following three action teams: an executive group; a port development group; and an excess development group. The negotiations aim at finding mutually acceptable modalities for local utilization of Navy excess facilities including the joint use of the inner Apra Harbour. The participants would also consider the requests for land by the federal entities, including a United States Army request for 20 acres of land at Barrigada for the construction of a consolidated Army Reserve Center; a National Guard Bureau request for 24 acres at Barrigada currently being used by the Guam National Guard; and a Federal Bureau of Investigation request for acquisition of the former Defense Printing Office building at Harmon and 7 acres of adjacent land. Rear Admiral David L. Brewer, III, in a letter addressed to the territorial Government, reportedly outlined the limitations that might affect the process of land transfers as follows: "Typical limitations we considered involved mission essential operational requirements, explosive safety arc encumbrances, areas needed to support our training and mission requirements in the Marianas region and environmentally hazardous areas which cannot be safely released for use." Later in January, the territorial Government received the Navy's "footprint" proposal for the use of excess Naval land and facilities to be closed as a part of 1995 Defense Base Closure and Realignment Commission recommendations. 12/

D. Agriculture and fisheries

17. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 33-40).

E. Tourism

18. Tourism continues to be a major contributor to the economy of Guam. In 1995, tourist arrivals totalled 1,356,643, a 25 per cent increase over the 1994 indicator. Approximately 68 per cent of tourists originated from Japan, 12 per cent from the Republic of Korea, 4 per cent from the United States and 16 per cent from other countries. 13/

19. The "Vision 2001" plan 9/ aims at increasing by the year 2001 tourist arrivals to 2 million and government revenues from the tourism industry to $450 million.

F. Construction

20. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 43 and 44).

G. Financial sector

21. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 45 and 46).

H. Industry and commerce

22. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 47-50).

I. Transportation, communications and basic utilities

23. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 51-57).

24. According to the "Vision 2001" plan, 9/ by the year 2001, Guam should achieve a reliable and sufficient supply of power, water, adequate sewerage, telephone communications and surface transportation. Power supply industry is to be privatized where possible. The public utilities agency of Guam would be made autonomous. The Government would concentrate its efforts on developing a viable public transportation system.

V. SOCIAL CONDITIONS

A. Labour

25. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 58-61).

26. According to a report released in December 1995 by the territorial Department of Labor, the unemployment rate as of September 1995 equalled 6.6 per cent compared with 8.4 per cent at the end of 1994. The report attributes the decreased unemployment rate to the continued growth in tourism and related industries. 14/

B. Public health

27. Information on public health is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 62-65).

28. In October 1995, the territorial Department of Public Health embarked on an immunization programme of all children of the preschool age. In accordance with that programme, every child would receive free vaccination for diphtheria, pertussis, tetanus, polio, tuberculosis, measles, mumps, rubella, haemophilus, influenza and hepatitis. 14/

29. The "Vision 2001" plan includes the following programmes: privatization of the Guam Memorial Hospital; additional recruitment of medical doctors;

introduction of government malpractice guarantees; improvement of public health environment; and increase in the accessibility of the public health care system to all the population. 9/

C. Housing

30. The "Vision 2001" plan 9/ includes the following goals: completion of the Lada Estate project as a successful model development; establishment of a system of single-family low-interest home financing through revenue bonds or private sources; enhancement of the Chamorro Land Trust activities.

D. Public safety

31. According to the "Vision 2001" plan 9/ the territorial public safety programme will include the following measures: earmarking a specific ratio of the government revenue to criminal justice agencies; developing community oriented crime prevention and crime awareness mechanisms; upgrading prison facilities and prison programmes; providing counselling, support and advocacy for crime victims and their families; upgrading the firefighting facilities; establishing an environmental hazards team.

VI. EDUCATIONAL CONDITIONS

32. Information under this section is contained in the 1995 working paper prepared by the Secretariat (A/AC.109/2018, paras. 70-73).

33. According to the "Vision 2001" plan, 9/ the Government will aim at raising the high school graduation rates to 90 per cent and at ensuring a disciplined educational environment free of drugs, alcohol, violence and firearms.

VII. FUTURE STATUS OF THE TERRITORY

A. Draft commonwealth act

34. Detailed information on the political status referendum of 30 January 1982, on the draft commonwealth act, as well as on the negotiations related thereto between the territorial Government and the administering Power during 1986-1994, are contained in the previous working papers prepared by the Secretariat (A/AC.109/1192, paras. 19-37, and A/AC.109/2018, paras. 74-83). Additional information for 1995-1996 is set out below.

35. In January 1996, Mr. John Garamendi, Deputy Secretary of the United States Department of Interior, was appointed as Special Representative for Guam Commonwealth Issues. Both, the Governor of Guam and Guam's delegate to the United States House of Representatives stated that they were comfortable with that appointment and described Mr. Garamendi as a "very serious and committed person". 15/

36. In January and February 1996, the Governor of Guam and the Deputy Secretary of the Interior held meetings at San Francisco and Washington, D.C., to discuss the draft commonwealth act. Governor Carl Gutierrez reportedly stated that the negotiations "went extremely, extremely well" and that the congressional subcommittee could hold hearings in summer 1996. 16/

B. Position of the territorial Government

37. In his statement to the territorial Legislature on 13 November 1995, Mr. Robert Underwood, Guam's delegate to the United States House of Representatives, reaffirmed his commitment to "Chamorro rights and their defense" and stated that "the focus of Guam's agenda should be moved from Washington to Agana". He emphasized the importance of linking the Compact impact reimbursement to the renegotiations of the Compact of Free Association. 17/

38. In his "state of our island" address to the territorial Legislature on 14 February 1996, Governor Carl Gutierrez stated that the right course of action for Guam was to prepare an integrated plan to sustain an improved quality of life for its people. He also said that his Government would concentrate on charting a clear course forward towards the twenty-first century. 18/

C. Position of the administering Power

39. The representative of the United States, in his statement to the Special Political and Decolonization Committee (Fourth Committee) on 11 October 1995 (A/C.4/50/SR.5), stated, inter alia, that the people of a majority of the territories understood that gaining independence was not the only possible method of attaining full self-determination. A wide range of options was becoming available to the people of the Territories that went beyond the options enumerated in General Assembly resolution 1541 (XV) of 15 December 1960. The people of a majority of Non-Self-Governing Territories had made a conscious choice by adopting certain concepts and democratic methods and retained the right to change the status of their Territory at will through the democratic process and in accordance with their specific constitutional procedures. Their choice should be respected. The socio-economic problems of the Non-Self-Governing Territories were the same as those faced by small island States. They did not stem from a colonial past or present and could be addressed by the same mechanisms. The United States also recognized that the holding of a referendum or the conduct of some other form of popular consultation on the future status of a Non-Self-Governing Territory was one acceptable means of ascertaining the wishes of the people of those Territories.

40. In his statement at the 82nd plenary meeting of the General Assembly, on 6 December 1995, the representative of the United States said, inter alia, the following (A/50/PV.82):

"The aspirations of the people in the United States Territories are clear. A series of plebiscites has given the people of Guam ample opportunity to voice their preference on political status. A Commission on self-determination was established in 1988 as the vehicle for the elected Government of Guam to use for discussing a proposal for commonwealth status with the United States federal Government. The Commission will ultimately put into effect legislatively the freely expressed wishes of the people on that matter."

D. Action by the General Assembly

41. At its 82nd meeting, on 6 December 1995, the General Assembly adopted by a recorded vote of 146 to 4 with 3 abstentions resolution 50/38 B, section 6 of which refers to Guam.

Notes

1/ The present working paper is an update of the 1995 working paper prepared by the Secretariat (A/AC.109/2018). The information contained in the present working paper has been derived from published reports.

2/ 1993 Guam Annual Economic Review, Department of Commerce, Guam, p. 1.

3/ United Nations World Population Prospects: The 1994 Revision (ST/ESA/SER.A/145) (United Nations publication, Sales No. E.95.XIII.16).

4/ Pacific Daily News (Agana), 23 October 1995.

5/ Ibid., 14 April 1996.

6/ Ibid., 8 April 1996.

7/ Ibid., 7 September 1995.

8/ Ibid., 2 January 1996.

9/ Ibid., 14, 18 and 23 November 1995.

10/ Ibid., 3 October 1995.

11/ Ibid., 16 September and 3 November 1995.

12/ Ibid., 19 January 1996.

13/ Ibid., 12 January 1996.

14/ Ibid., 29 December 1995.

15/ Ibid., 7 January 1996.

16/ Ibid., 12 February 1996.

17/ Ibid., 19 November 1995.

18/ Ibid., 15 February 1996.